

## **Noise Control Council Meeting Minutes**

### **January 12, 2004**

#### **Attendees**

Joe Lepis, Chair	Chief Philip Muller	David Triggs, NJDEP
Dr. Iris Udasin	John Surmay	Deborah Pinto, NJDEP
John Kapferer	Renu Agrawal	Eric Zwerling, RNTAC
Michael Klewin		

#### **Absent**

Dr. Joseph Soporowski	Carol Pennenga	Ed DiPolvere
Mike Lakat	George Miller	Nicholas Fiore

#### **Appointment**

Congratulations were offered to Council member John Surmay for his appointment as President of the New Jersey Health Officers Association.

#### **Council Membership Issues**

An attendance policy was discussed based on the need for a quorum and the overall lack of participation by some members. Meeting minutes from 2003 indicate that three members did not attend any of the meetings nor did they actively submit comments, feedback or advice on various issues discussed throughout the year. A motion was made by Chief Phil Muller that a 50% attendance policy be established pending notification by letter to all members. The Council By Laws state that if a member fails to attend three consecutive meetings without satisfactory cause, the Council may consider the position vacant and may proceed to fill that vacancy. Members who consistently fail to attend meetings without a just cause will be asked to resign.

The possibility of meeting quarterly except for subcommittees, stakeholder meetings and emergencies was explored. The Council By Laws state that "Regular meetings of the Council shall be held at a time and place to be determined by the Council." A vote will be taken at the February meeting. A copy of the By Laws is attached.

#### **Passenger Vehicle Mufflers**

Mike Klewin has prepared draft strategies to address passenger vehicle muffler noise at inspection stations. The main objective is to petition the DEP to consider mufflers as a control device like catalytic converters. As a control device, the manufacturer would have to ensure that the muffler meets specific noise control standards approved by the DEP. Relying on ANSI standards, similar to how California regulates leaf blowers, would not be feasible due to the complexity of field testing. A subcommittee headed by Mike Klewin was formed to study the issue further. If approved by the Council, suggestions can be introduced with the Noise Rule readoption package. The subcommittee will meet immediately following the regular Council meeting scheduled for February 10<sup>th</sup>.

#### **Model Noise Ordinance**

Chairman Joe Lepis raised the issue of whether the 40 decibel evening interior level is too restrictive as found in the Model Ordinance. Neighborhood residual is often greater than 40 decibels. The Council

might want to recommend using the C scale to measure low frequency “thumping” or bass noise.

### **Meadowlands Xanadu Project**

Noise issues related to the proposed Meadowlands Xanadu Project were discussed. The environmental impact statement for the 1.3 billion dollar project calls for a “qualitative review” of potential noise sources. The Council was in general agreement that with limited receptors and no additional outdoor venues, the potential for noise problems is low. The Bergen County Department of Health Services reported very little noise complaints from the Meadowlands.

### **Railroads**

There have been a number of recent proposals to increase railroad traffic in New Jersey. One proposal is to transport garbage from Brooklyn through New Jersey by rail. In addition, a rail line between Staten Island and Union County may be reactivated. Several towns in Union County are currently challenging the reactivation in court. While an increase in noise is a concern, it is more environmentally sound and energy efficient to transport refuse and commerce via rail rather than truck. The Rutgers Technical Noise Center may be receiving a grant to study the impact of rail noise in Teaneck, New Jersey.

### **Aircraft**

As a result of suburban sprawl and community activism, many of New Jersey’s public-use airports have been closed. While this may sound like it will result in a reduction of airport noise, it could mean the expansion and increase in air traffic at larger airports that remain open. An October 31, 2003 letter from Governor McGreevey to the Chairman of the Air Traffic and Noise Advisory Board expressed concern that significant aircraft noise reduction should be a priority goal of any FAA redesign plan.

### **Motor Vehicle Racetracks**

More New Jersey racetracks are closing which could mean an increase in activity at existing racetracks. Old Bridge Township has approved new homes in the vicinity of Raceway Park which may result in an increase in noise complaints. Ownership changes could also result in an increase in noise by entrepreneurs trying to turn a larger profit from longer operating hours and more extreme forms of racing.

### **Open Forum**

Atlantic City has been inquiring about ways to control boardwalk music being broadcast by the casinos. Some boardwalk patrons have complained that the noise is so loud that normal conversation is not possible. The City would like to establish a 75-decibel limit measured from the center of the boardwalk. Some Council members felt that music is indicative of boardwalk residual noise that shouldn’t be regulated. A problem also arises with music from sources other than casinos, which would be selective enforcement. The DEP is willing to look at an ordinance drafted by Atlantic City but there has to be some scientific value associated with the 75-decibel limit. More information is needed in quantifying the noise levels and the peak hours associated with it.

**Attachments**

By-Laws; member contact information and the State Noise Code.

**THE NEXT MEETING WILL BE ON FEBRUARY 10<sup>TH</sup>, AT 9:30 AM AT THE  
RUTGERS LABOR EDUCATION BUILDING**